IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 645 OF 2006
IN
WRIT PETITION NO. 190 OF 2005

State of Maharashtra ..Applicants
(Ori.Resp. No.1)

versus

Raysingh Fattu Barde & 83 Ors. ..Respondents
(Nos.1 to 54 Ori. Petitioners & Nos.55 to 84 Ori. Resp. Nos.2 to 31)

Mr. Nitin Deshpande, AGP for the Applicants - Ori. Respondent No.1 - State.

Mr. Uday Warunjikar for the Respondent Nos. 1 to 54.

CORAM : D. G. DESHPANDE &
S.A. BOBDE, JJ.

DATE : 6TH FEBRUARY, 2007

P.C. (IN CHAMBER) :

1. Heard.

2. An order was passed by the Division Bench comprising of Shri Dalveer Bhandari (C.J.) and S. A. Bobde, J. on 31.1.2005 directing the State to treat the petitioners' petition as a representation and decide the same as expeditiously as possible,

and, in any case, within three months, after affording them an opportunity of being heard.

3. Now, the present Civil Application is taken out by the State with the prayer that when in the circumstances, the Division Bench comprising of V. G. Palshikar & S. C. Dharmadhikari, JJ. on 15.12.2003 passed an order appointing the District and Sessions Judge, Nashik, with certain directions to decide the dispute about the claims to the compensation claimed, similar order should be passed in this matter also instead of sending the matter to the State for decision as per the order dated 31.1.2005.

4. We find this prayer in conformity and consistent with the earlier order dated 15.12.2003 passed in Civil Application No. 2544 of 2003 and other Civil Applications. The petitioners in that matter were directed to appear before the Designated Additional District Judge, Nashik, and, therefore, the prayer is granted. In the result, we pass the following order:

ORDER

. The Designated Additional District Judge, Nashik, who was appointed pursuant to the Order dated 15.12.2003 passed in Civil Application No. 2544 of 2003 and other Civil Applications, should also be entrusted with this work. The parties in the present matter should appear before the said Judge on 6.3.2007.

. The Designated Court would thereafter take up the matter as aforesaid on day to day basis and adjudicate upon the claims made before it for grant of the sums deposited in this Court and now transmitted to District Judge’s Court at Nashik. The decision, if adverse, can be challenged by appropriate proceedings by those against whom the decision goes.

. The matter be transmitted to the District and Sessions Judge, Nashik.

. With the above directions, Civil Application stands disposed of.

(D.G. DESHPANDE, J.)

(S.A. BOBDE, J.)